

VZCZCXRO2955
RR RUEHCD RUEHGD RUEHHM RUEHHO RUEHJO RUEHMC RUEHNG RUEHNL RUEHRD
RUEHRS RUEHTM
DE RUEHME #5720/01 2792157
ZNR UUUUU ZZH
R 062157Z OCT 06
FM AMEMBASSY MEXICO
TO RUEHC/SECSTATE WASHDC 3577
INFO RUEHXC/ALL US CONSULATES IN MEXICO COLLECTIVE
RUEHXI/LABOR COLLECTIVE
RUEHC/DEPT OF LABOR WASHDC

UNCLAS SECTION 01 OF 02 MEXICO 005720

SIPDIS

SIPDIS

DEPT FOR DRL, WHA/MEX, WHA/PPC; USDOL FOR ILAB

E.O. 12958: N/A

TAGS: [ELAB](#) [ECON](#) [PGOV](#) [PHUM](#) [MX](#)

SUBJECT: DISSIDENT PEMEX WORKERS SEEK TO OVERTURN YEAR OLD
UNION ELECTION

SUMMARY

¶1. A dissident faction of Mexico's Petroleum Workers Union is trying to overturn the October 2005 re-election of union Secretary General Carlos Romero Deschamps. The re-election of Romero Deschamps means that he will head the Oil Workers' Union from 2007-2012. According to the dissidents, Romero Deschamps' re-election as union Secretary General was in blatant violation of numerous

SIPDIS

union rules. The dissidents' appeals to the Mexican Government's Labor Secretariat (STPS) to overturn the election have been declined. According to STPS, it has no legal authority to interfere in an internal union matter. The next step for the dissidents is to seek redress from Mexico's Federal Conciliation and Arbitration Council. At present, it seems unlikely that Romero's re-election will be overturned. Nevertheless, this dispute will undoubtedly carry over from the outgoing Fox administration, to the incoming Calderon administration. The situation bears watching given the large US purchases of Mexican petroleum products. End Summary.

An Unusually Early Election

¶2. In October of 2005, the Executive Committee of Mexico's Petroleum Workers' Union (Sindicato de Trabajadores Petroleros de la Republica Mexicana - STPRM) held an 'Extraordinary Convention' to elect a replacement for union leader Secretary General Carlos Romero Deschamps. An election to replace an outgoing union leader would not normally be an extraordinary event but in this case Romero Deschamps still had over a year in office. Moreover, STPRM rules specifically state that elections for a new Secretary General are to be held in the last three months of the current leader's mandate.

¶3. It is unclear what prompted the need for this early election. Conjecture voiced by a dissident faction of the STPRM, known as the National Alliance of Petroleum Workers, claims Romero Deschamps' early re-election was prompted by the fear of a PRD victory in Mexico's 2006 presidential campaign. In October 2005, PRD presidential candidate Lopez Obrador looked to be the sure winner in the race to become Mexico's next president. A PRD presidential win would have given that party the power to

confirm the results of the union election. Consequently, according to the dissidents, the union establishment wanted to ensure its continued control of the organization and therefore moved forward the election of the next Secretary General in order to present the GOM with a fait

SIPDIS
accompli.

Allegations and Irregularities

¶4. Given that STPRM statutes call for the election of a new Secretary General no more than three months before the end

SIPDIS
of the current union leader's term of office it appears strange indeed that an extraordinary convention was called long established and widely accepted syndicate. Romero Deschamps' re-election was further complicated by his alleged involvement with the 'Pemexgate' scandal in which large amounts of union funds were illegally diverted to the campaign of the PRI political party's presidential nominee. STPRM rules state that a person charged with a crime cannot stand for union office and at the time of his re-election a formal warrant had been issued for Romero's arrest. (Note: The warrant was never carried out thanks to a legal injunction filed by Romero's attorney. The charges against him were not dropped until July of 2006.)

¶5. According to one of Mexico City's major daily newspapers, Excelsior, there were a total of eight serious irregularities in Romero Deschamps' re-election as STPRM Secretary General. A partial list of these irregularities

SIPDIS
included such things as claiming that the stated purpose of the 'extraordinary convention' was to select replacements for several positions that were vacant at that time. Initially no mention was made of a plan to elect a new Secretary General. Excelsior claims that all of the persons allowed to vote at the convention were handpicked friends of Romero. Numerous GOM Secretariat of

MEXICO 00005720 002 OF 002

Labor officials were at the convention in violation of ILO convention #87. Romero Deschamps himself presided over the entire process of the convention in which he was re-elected union Secretary General which, from start to finish, was completed in a record three and one half hours.

Labor Secretariat Claims Neutrality

¶6. Many of the irregularities involved in Romero's re-election might well have been dismissed as press speculation except for the fact that Excelsior claims it obtained a copy of the minutes taken at the extraordinary convention. The authenticity of the minutes has not been disputed by the Secretariat of Labor (STPS). Moreover, the Secretariat has gone out of its way to publicly claim its neutrality on the question of Romero's re-election. STPS' position on the topic of Romero, to both Excelsior and the dissident oil workers that have asked for the annulment of the Secretary General's re-election is that the entire matter is an internal union affair. Moreover, a Labor Secretariat spokesman stated, changes to union rules previously enacted by the STPRM allowed the organization to advance the date of Romero's re-election. Consequently, the STPS says, it has no legal authority to change the results of these internal rule or the process of electing a new union Secretary General.

Dissents Not Yet Prepared to Give-up the Fight

¶7. The next step for the dissent oil workers is to seek redress from Mexico's Federal Conciliation and Arbitration Council. Unlike the STSP, the Council does appear to have the legal authority to overturn Romero Deschamps's re-election. The appeal to the council is being prepared for the dissidents by CEREAL (Centro de Reflexion y Accion Laboral (Center for Reflection and Labor Action). CEREAL is a Mexico City based NGO labor and human rights organization affiliated with Jesuits and the Center for Justice and International Law in Washington, DC. Thus far there is no indication that the Council will rush the dissidents case to the top of its agenda which means the matter will not be resolved one way or the other before the December inauguration on recently elected president, Felipe Calderon.

Comment

¶8. By all accounts the dissidents's efforts to oust Carlos Romero Deschamps have been going on almost since his re-election. The Labor Secretariat under outgoing Mexican President Vicente Fox has successfully kept the matter at arms-length by claiming it a lack of legal authority to interfere in an internal union matter. That said, the Fox administration tacitly endorsed Romero's re-election when it sent two cabinet level Secretaries (Labor and Government) to his swearing-in ceremony.

¶9. At this point it seems unlikely that any branch or agency of the Mexican government will overturn Romero Deschamps's re-election as the head of the Oil Workers Union. Moreover, outside of the dissidents, most petroleum works seem satisfied with the fact that their union, even with what appears to be some genuine internal problems, still has obtained perhaps the most generous labor contracts in Mexico.

¶10. On the surface all appears well, but there is a history of labor actions in Mexico that have started small and unexpectedly grown larger and more intractable than most observers could have imagined. Although this situation is unlikely to follow that route, it nevertheless bears watching since there is no sure way of knowing what approach the incoming Mexican government administration will take to labor issues. Given the large US purchases of Mexican petroleum products, potential labor unrest in the country's oil industry is a subject we need to track.

GARZA